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June 1 1998

VIA HAND DELIVERY
Magalie Salas, Esquire
Secretary
Federal Communications Commission
1919 M Street, N.W. - Room 222
Washington, D.C. 20554

Re: RM-9267

Dear Ms. Salas:

On behalf of Forest Industries Telecommunications ("FIT"), we are filing an original and ten (10) copies of its Comments on the above-referenced Petition for Rulemaking of the Land Mobile Communications Council.

Please communicate with us if you need further information.

Very truly yours,

FLETCHER, HEALD & HILDRETH, PLC

George Petrutsas
Counsel for
Forest Industries Telecommunications

GP:cej
Enclosures
cc: Petitioner (w/enc.)

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ORIGINAL

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

In the Matter of	)	
	)	
An Allocation of Spectrum for the Private land Mobile Radio Services	)	RM-9267

COMMENTS OF
FOREST INDUSTRIES TELECOMMUNICATIONS

Forest Industries Telecommunications ("FIT"), by counsel, hereby files its comments on the above-captioned petition, filed by the Land Mobile Communications Council ("LMCC") on April 22, 1998. FIT is the national organization of radio users in the forest products industry. It is also a certified frequency coordinator for the Industrial/Business Pool of frequencies and a member of LMCC.

I. Petition is fully supported

FIT supports the proposals in the petition. They are well thought out, fully documented, and would provide reasonable solutions to some of the requirements for private (internal) wireless communications requirements in the foreseeable future. Those requirements are well documented and supported in the petition.

2. Petition is consistent with Congressional directives and with results of previous studies

FIT agrees with LMCC that its proposals in the petition are consistent with the Conference Report on the 1997 Budget Act, where the conferees, in effect, directed the Commission and NTIA to consider the need to allocate additional spectrum for use by the private land wireless services. 143 Congressional Record on H6175 (July

29, 1997). The proposals are also consistent with the report of the Spectrum Planning and Policy Advisory Committee Task Force on Federal Government Spectrum Relocation Implementation, which was released on August 7, 1997. It is also consistent with and it is supported by the Wireless Telecommunications Bureau's report on the PMRS Land Mobile Services (the Wye Report), released by the Bureau on December 18, 1996. It is also consistent with and is supported by the Commission's earlier studies, such as, the 1983 report prepared by the Planning Staff, Private Radio Bureau, where it was concluded that private land mobile wireless communications systems are "an indispensable tool" for governments and the private sector and that ". . . there is no other effective alternate means of communications for the vast majority of users . . ." See, Future Private Land Mobile Communications Requirements, August 1983, pp. 2-1 to 2-5. See also, Report of the Advisory Committee for the Land Mobile Radio Services, (1968), Volume 1, pp. 3-5.

3. Private systems are indispensable for safety and operational efficiency

As more fully described briefly below, the wireless communications requirements in the forest products industry can only be met effectively by private communications systems. Commercial systems, such as cellular, SMR, paging, and PCS are used, but they can only minimally accommodate the mobile communications requirements of the industry. Private systems must continue to be the primary means for mobile communications in that industry.

The forest products industry provides some of the most essential materials for the U.S. economy, wood and wood products. It manufacturers the lumber for our

houses and for the furnishing in those houses. It provides the paper for our books, our newspapers, our magazines. Over two billion copies of books are printed each year on paper manufactured by the forest products industry. The industry also provides the paper for the more than twenty four billion copies of newspapers printed each year and for over 350 million copies of magazines. It employs nearly 1.5 million workers and contributes over $200 billion to the Nation's GNP.

The source of the industry's products is the Nation's timberlands. There are over five hundred millions of acres of timberland in the United States. Of those, over seventy million acres are commercial, privately owned. The rest are government owned, but are available for harvesting. Tree "farms" are large as well as small. For example, there are approximately seven millions of small family owned tree farms.

Similarly, there are large, well known members of the forest products industry as well as small. Some of the large, well known companies are: Weyerhaeuser, Champion Paper, Georgia Pacific, International Paper. There are also several thousands of small, local and regional operators.

While timber is grown in many parts of the United States, the most extensive commercial forestry operations are in the Pacific Northwest, in the Southeast, in the northeastern part of New England, particularly in Maine, and in northern Wisconsin, Minnesota, and Michigan.

Logging, by its very nature, is a very hazardous activity. Logging operations are conducted in remote, forested areas where the ordinary facilities taken for granted elsewhere are scarce or non-existent. The annual injury rate among timber workers is high, more than 20 injuries or illnesses per 100 full time workers. The felling of trees,

moving them to landing sites, loading them on special trucks and other conveyances and hauling them over often primitive roads are all hazardous activities resulting in many injuries and deaths.

In the remote, forested areas where the forest products industry conducts most of its operations, mobile radio is the primary, often the sole, means of communication. The primary purpose of radio communications in the industry is to promote safety or life. It is used to summon help in emergencies and to forewarn of hazards; it helps prevent or limit the ravages of forest fires. Millions of dollars worth of timber is destroyed by fire each year. Millions of acres are also saved by quick responses and by modern fire-fighting methods in which radio plays a key role.[1]

Radio, however, does more. It has become an essential management tool in coordinating and managing often far-flung logging operations. It is used to send and receive timely reports, to dispatch personnel and repair vehicles, to shift resources, to deal with emergencies. It is used by helicopter crews while distributing tree seeds (a costly and dangerous job made practical through close coordination between ground and air-borne crews by radio); it is used in fertilizing the forest from the air; to guide timber appraisers to the proper spots; to talk with the lone bulldozer operator grading a new road deep into the forest; to direct crews looking for lost hikers, hunters or fishermen.

Radio is also used to control remotely many logging and transportation

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[1]Because of the importance of land mobile radio communications for safety, the Forest Service, the Bureau of Land Management and increasingly the states require those engaged in woods operations to have reliable radio communications.

operations (such as cable logging); in security systems; in production processes; in signalling devices; to control intake gates; regulate speed of machines; read meters; sound warning signals (in case of fire, or theft, or release of excess noxious air pollutants); and to operate remotely cranes and conveyer belts.

In short, forest products mobile radio continuously contributes to human safety and well-being and to the protection of vital natural resources.

Forest products radio systems are designed to meet the particular requirements of the particular user. The range of system designs includes very large systems with dozens of base stations and hundreds of mobile units as well as small systems used by a small contract loggers with one base and two mobile units. The typical radio system used in the industry, however, is fairly complex and may consist of three or more control stations, one or more repeaters at high sites, twenty to forty vehicular and several portable units. Typically, in such a system, about one-third of the mobile units are installed in the licensee's log trucks, about one-third is used by forest supervisors, and the remaining are distributed among wood log loaders, wood contractors, material handling vehicles, repair and maintenance vehicles, crew buses and other service and transportation facilities. Such a system is designed for communications with several logging and transport operations over areas fifty to one hundred miles in radius. These radio communication systems must provide reliable service in rural, rugged, forested terrain, and over relatively long distances. It is the only practical modern means of communication in forestry operations. There is no adequate substitute.

4. Geographic licensing and competitive bidding not practical for licensing private systems

Questions have been raised by members of the Commission's staff concerning the use of either competitive bidding or lease fees in the processes for assigning the proposed new spectrum for PMRS systems. FIT would strongly oppose adoption of a licensing scheme which would permit competitive bidding. Because of the diversity, uniqueness and high volume of land mobile systems, geographic licensing and competitive bidding would be highly inappropriate and impractical. It would also be inconsistent with the Congressional intent as expressed in the 1997 and 1993 Budget Acts.

5. Reasonable user fees would be supported if authorized by Congress

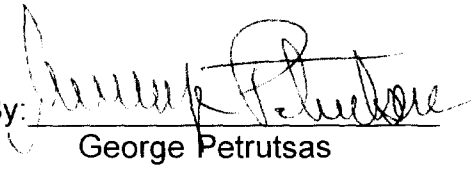
Should the Commission be required or authorized by Congress in the future to impose user fees on licensees for the proposed new spectrum, FIT would support adoption of reasonable fees consistent with any future Congressional directives. In the absence of statutory authority, competitive bidding and user fees should not be made issues in the Commission's consideration of the LMCC petition but should be considered separately at some appropriate future time.

6. Conclusion

In sum, FIT urges the Commission to institute a rulemaking proceeding looking towards granting the above-captioned LMCC petition.

Respectfully submitted,

FOREST INDUSTRIES
TELECOMMUNICATIONS

By: 
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Date: June 1, 1998

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